

THE "CALL IN" PERIOD FOR THIS SET OF MINUTES ENDS AT 12 NOON ON THURSDAY 6 JUNE 2024. MINUTES NOD. 9 AND 10 ARE NOT SUBJECT TO "CALL-IN".

CABINET

MEETING HELD AT THE COMMITTEE ROOM, TOWN HALL, BOOTLE ON THURSDAY 23RD MAY, 2024

PRESENT: Councillor Atkinson (in the Chair)
Councillors Dowd, Doyle, Harvey, Howard, Lappin,
Moncur and Roscoe

ALSO PRESENT: Councillor Sir Ron Watson CBE

1. CHAIR'S WELCOME

The Chair welcomed newly appointed Cabinet Members Councillors Dowd and Harvey to the Cabinet meeting.

2. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Veidman.

3. DECLARATIONS OF INTEREST

No declarations of any disclosable pecuniary interests or personal interests were received.

4. MINUTES OF THE PREVIOUS MEETING

Decision Made:

That the Minutes of the meeting held on 4 April 2024 be confirmed as a correct record.

5. FUTURE APPROACH TO COMMISSIONING OF RESIDENTIAL & NURSING CARE SECTOR

The Cabinet considered the report of the Executive Director of Adult Social Care and Health seeking approval for the future commissioning approach for the Sefton Adult Social Care Residential and Nursing Sector.

The Chair referred to the impending departure of Eleanor Moulton, Assistant Director – Integrated Life Course Commissioning, due to her taking a position in another local authority, and thanked Eleanor for all her hard work and support during her time with Sefton.

Decisions Made:

That

- (1) a new Sefton framework of Residential and Nursing Care Homes that will be established for up to, and not more than, a ten-year period, commencing in the 2024/25 financial year, compliant to the latest regulations effective of 1 October 2024, be established;
- (2) decisions on the award, contracting models, contract terms and conditions and service specification to be applied to the new Framework be delegated to the Executive Director of Adult Social Care and Health in consultation with the Cabinet Member – Adult Social Care and Health and Deputy Leader, on the basis that they can be contained within existing and approved budget provision within the service;
- (3) the Executive Director of Adult Social Care and Health in consultation with the Cabinet Member – Adult Social Care and Health and Deputy Leader, be given delegated authority to issue new contract terms and conditions to all care homes for adults over 18 who are commissioned by Sefton Council, to include the direct award of contracts to such homes, with the proviso that this approach and any such awards adhere to procurement regulations, and the intent that this approach maintains the prospective Care Home Residents' Choice Directive;
- (4) periodic re-opening exercises of the Framework be approved, and decisions on the awarding of contracts to successful new applicants and with respect to any such specific commissioning exercises / competitions be made; and
- (5) over the course of the new Framework, delegated authority be granted to the Executive Director of Adult Social Care and Health in consultation with the Cabinet Member – Adult Social Care and Health and Deputy Leader, to make decisions on any amendments to its rules / operation.

Reasons for the Decisions:

To ensure that updated commissioning and contractual arrangements were put in place. These commissioning and contractual arrangements would adhere to the new CQC single assessment framework, which aimed to deliver Effective, Responsive, Safe, Caring and Well-led models of care, and which would ensure that there was greater control of the market, that future decisions on commissioning and market management could be made in a timely manner, and to put in place new contractual and service delivery arrangements which both sought to ensure market sustainability, and that there was a greater focus on commissioning high quality services with Providers that were willing to deliver services in line with the Framework arrangements.

Alternative Options Considered and Rejected:

1. **Maintaining the status quo** – This was not considered to be a viable option due to identification of the need to establish new commissioning arrangements in Sefton for the Residential and Nursing care sector, which reflected the needs of Sefton Residents and met Sefton’s joint Social Care and Health strategic and commissioning objectives for the sector.

6. **DETERMINATION OF PROPOSAL TO ESTABLISH SEND RESOURCE PROVISION AT MARSHSIDE PRIMARY SCHOOL, SOUTHPORT**

The Cabinet considered the report of the Executive Director for Children’s Social Care and Education seeking a determination on the proposal to establish a SEN Unit at Marshside Primary School. The Public Notices and the Proposal for Establishing SEND Resource Bases were attached to the report at Appendix A.

Decisions Made:

That the proposal as detailed in the statutory notice to establish a SEN UNIT at Marshside Primary School with effect from 1 September 2024 be approved.

Reasons for the Decisions:

The local authority had the power to consider all options including expanding a school following the statutory process detailed in the report.

The proposal would build on the good standards for teaching and learning already in place at the school. The development would provide places for children and young people with SEND within the SEN Unit. Marshside Primary School had been judged by Ofsted to be providing good quality education.

The development would not have any negative impact on other schools, academies, and educational institutions in the area.

The proposed SEN Unit would not replace existing provision but would supplement and improve provision across the borough.

The addition of the SEN Unit to the school would not have a direct impact on admissions or provision at other schools within the area.

Long-term value for money would be achieved by pupils having their needs met within appropriate mainstream provision with specialist support rather than in special school provision. This would free special school places for pupils with the highest level of needs and provide the opportunity to place high need pupils within the borough, rather than in out-of-borough provision.

Alternative Options Considered and Rejected:

Failure to provide sufficient places for children with Special Education Needs and Disability (SEND) in the borough would result in additional costs for the Council through more expensive specialist placements.

7. CHILDREN'S SERVICES STAFF STRUCTURE

The Cabinet considered the report of the Executive Director of Children's Social Care and Education that:

- provided the Cabinet with an overview of the proposed changes to the Children's Social Care staffing structure and to provide the rationale for those proposed changes.
- provided the cost implications for the proposed structure which would ensure that matters were dealt with within budget for this financial year.
- sought Cabinet approval for the proposals and approach to be adopted.
- Ensured the recommended proposals provide roles for all permanent staff.

Reference was made to the springboard model, in relation to the Youth Offending Team and further detailed information would be provided to Cabinet Members in due course.

Decisions Made:

That

- (1) all the structural and staffing changes detailed in the report, including the development of the new service areas (subject to the necessary consultation with staff affected, Trade Unions and the application of existing policies and practices as they apply to employees), be approved;
- (2) any prioritisation in implementation be delegated to the Cabinet Member – Children, Schools and Families within the approved budget for the Service;
- (3) it be noted that the review of Market Supplements will be completed within 4 months of the structure (excluding phase 2) being implemented; and
- (4) the virement of £2.450m within the Children's Social Care budget between the Placements and Packages budget to the Service's staffing budget, be approved.

Reasons for the Decisions:

To put into place a structure and approach which provided better service delivery and outcomes to children, young people, and families in respect of Children's Social Care and its Improvement Journey.

There were no redundancies, and the Council was creating jobs to support the service whilst also creating opportunities for staff in terms of resilience, stability, support, training, development, and advancement.

Alternative Options Considered and Rejected:

The current staffing arrangements could continue without implementing the recommended changes. However, this would have a detrimental impact on the quality and efficiency of the service delivery and outcomes to children, young people, and families. It would also prevent the Service's improvement journey as opposed to the approach within this report.

The current structure was supported by additional posts which were currently filled by agency workers due to the posts not forming part of the substantive staffing structure. Continuation of these high-cost interim posts would create a pressure on current and future budgets for children services.

8. HIGH NEEDS CAPITAL PROGRAMME 2023 - 2024

The Cabinet considered the report of the Interim Assistant Director of Children's Services (Education) indicating that the local authority continued to receive an increased demand for specialist placements for children requiring specialist SEN support due to a rise in the amount of Education, Health and Care Plans (EHCP's) that had been issued.

Although the local authority had increased the number of in-house SEN places to support increased demand and reduce the number of children needing more expensive "Out of Borough" independent school placements, there were currently not enough specialist places to meet this continued increase in SEN need.

The current 2023 and proposed 2024/2025 High Needs capital programmes sought to ensure existing schools and High Needs provision could support existing and new SEND pupils and create additional places at some of its current specialist provisions.

An overview of the High Needs capital programme 2022/23 and proposed High Needs capital programme 2024 was attached to the report at Annex A

Officers and Partners were thanked for all their hard work on high needs provision.

Decisions Made:

That

- (1) the High Needs schemes already approved in the 2023/24 High Needs capital programme of works, as highlighted in Section 1 of Annex A to the report, be noted;
- (2) the new High Needs schemes with a total value of £0.700m, as identified in Section 4 of the report and highlighted in Section 2 of Annex A to the report, into the proposed 2024/25 High Needs Capital Programme following formal approval of the 2024/24 High Needs capital budget by the Council, be approved; and
- (3) the new uncommitted High Needs schemes with a total value of £1.330m, as identified in Section 4 of the report and highlighted in Section 2 of Annex A to the report, into the proposed 2024/25 High Needs Capital Programme pending formal approval of the 2024/25 High Needs capital budget by the Council, be approved.

Reasons for the Decisions:

Having regard to the Children and Families Act 2014, Special Educational Needs and Disability Regulations 2014 and the SEN Code of Practice the LA was under a legal duty to secure the provision listed in Section I of the EHCP. The Council was unable to argue that a school was “full” and had to show how it would impact on the other pupils currently in attendance.

The Council was responsible for providing the provisions in Section F of the ECHP.

Alternative Options Considered and Rejected:

The purchase of the additional external placements in Independent Schools would help support the increase in the number of students requiring places in specialist SEND settings. However, this option had been rejected due to the significant cost difference compared to in-house placements.

The consultation might lead to some changes. Any decisions that might affect changes to the proposals would be presented to the Cabinet Member - Children Schools and Families.

9. MARITIME CORRIDOR SCHEME - RECEIPT OF CAPITAL FUNDING

Consideration of the report was deferred to enable further consultation with Ward Councillors to take place.

10. SOUTHPORT EASTERN ACCESS SCHEME - RECEIPT OF CAPITAL FUNDING

Consideration of the report was deferred to enable further consultation with Ward Councillors to take place.

11. APPOINTMENTS TO OUTSIDE BODIES 2024/25

The Cabinet considered the report of the Chief Legal and Democratic Officer which sought approval of the appointment of Council representatives to serve on Outside Bodies set out in the report for 2024/25, or for periods longer than one year. Details of the proposed representation on Outside Bodies were set out in the report and appendices. The appendices show the proposed appointments for 2024/25 following the submission of nominations by the Political Groups on the Council. Appendix 1 to the report set out the proposed appointments for a 12-month period expiring in May 2025. Appendix 2 to the report set out proposed appointments for a period of over one year.

Decisions Made:

That:

- (1) the proposed representation on the various Outside Bodies for a twelve-month period expiring in May 2025 as set out in Appendix 1 to the report be approved, and the following Members be appointed to serve on the Outside Bodies indicated below for 2024/25:

<u>ORGANISATION</u>	<u>NUMBER OF REPRESENTATIVES</u>	<u>REPRESENTATIVE(S)</u>
Armed Forces Member Champion	1	Councillor Carragher
British Destinations	1	Cabinet Member - Regeneration and Skills (Councillor Lappin) or nominee
Cheshire and Merseyside Health and Care Partnership	1	Cabinet Member – Adult Social Care and Health (Councillor Moncur)
Cheshire and Merseyside Integrated Care System Joint Health Scrutiny Committee	2	Councillors Desmond and Hart The political places available on the Committee for 2024/25 are Lab 2 / Lib Dem 0 / Con 0 / Ind 0 / Green Party 0
Elevate Education Business Partnership	3	Cabinet Member - Children, Schools and Families (Councillor Roscoe) and Councillors Moncur and Pugh
Formby Pool Trust - Board	2	Councillor Killen and Assistant Director of People - Communities (Mel Ormesher)

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Liverpool City Region Employment and Skills Board	1	Cabinet Member – Regeneration and Skills (Councillor Lappin)														
Liverpool City Region Housing and Spatial Planning Board	1	Cabinet Member – Housing and Highways (Councillor Veidman) (Substitute: Chair, Planning Committee – Councillor Hansen)														
Liverpool John Lennon Airport Consultative Committee	1	Councillor Hart (Substitute: Councillor Myers)														
Local Government Association General Assembly	1	Leader of the Council (Councillor Atkinson) - 5 votes														
Merseyside Flood & Coastal Erosion Risk Management (FCERM) Partnership Committee	1	Councillor Doyle														
Mersey Forest Partnership Steering Group	1	Councillor Richards														
Mersey Port Health Committee	6	<table border="0"> <thead> <tr> <th><u>Member</u></th> <th><u>Substitute</u></th> </tr> </thead> <tbody> <tr> <td>Cllr Desmond</td> <td>Cllr Bradshaw</td> </tr> <tr> <td>Cllr John Kelly</td> <td>Cllr Grace Kelly</td> </tr> <tr> <td>Cllr Chris Page</td> <td>Cllr Killen</td> </tr> <tr> <td>Cllr McKee</td> <td>Cllr McGinnity</td> </tr> <tr> <td>Cllr Roche</td> <td>Cllr Catie Page</td> </tr> <tr> <td>Cllr Shaw</td> <td>Cllr Thompson</td> </tr> </tbody> </table> <p>The political places available on the Committee for 2024/25 are Lab 5 / Lib Dem 1 / Con 0/ Ind 0 / Green Party 0</p>	<u>Member</u>	<u>Substitute</u>	Cllr Desmond	Cllr Bradshaw	Cllr John Kelly	Cllr Grace Kelly	Cllr Chris Page	Cllr Killen	Cllr McKee	Cllr McGinnity	Cllr Roche	Cllr Catie Page	Cllr Shaw	Cllr Thompson
<u>Member</u>	<u>Substitute</u>															
Cllr Desmond	Cllr Bradshaw															
Cllr John Kelly	Cllr Grace Kelly															
Cllr Chris Page	Cllr Killen															
Cllr McKee	Cllr McGinnity															
Cllr Roche	Cllr Catie Page															
Cllr Shaw	Cllr Thompson															
Merseyside Pension Fund Pensions Committee	1	Cabinet Member – Corporate Services (Councillor Howard) or nominee														
North West Employers' Organisation	1	Cabinet Member – Corporate Services (Councillor Howard) (Substitute: Councillor Lappin)														

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PATROL (Parking and Traffic Regulations Outside London) Adjudication Joint Committee	1	Cabinet Member – Housing and Highways (Councillor Veidman) (Substitute: Councillor Lappin) (NB - Nominated Member and Substitute must be Cabinet Members)
Peterhouse School, Southport – Governance Committee	1	Councillor Harrison Kelly
Regional Flood and Coastal Committee	1	Councillor Doyle
Safer Sefton Together	3	Cabinet Member – Communities and Partnership Engagement (Councillor Dowd) and the two Council representatives on the Merseyside Police and Crime Panel (Councillors Hinde and McNabb)
Sandway Homes Limited Board and Sandway (ACS) Holding Company Ltd (Sefton Housing Development Company)	2	Councillor Myers Cabinet Member – Housing and Highways (Councillor Veidman) is the Shareholder Representative)
Sefton Coast Landscape Partnership Board	2	Cabinet Member – Public Health and Wellbeing (Councillor Doyle) and Councillor Lappin
Sefton Council for Voluntary Service (Advisory non-voting members on the Board of Trustees)	3	Councillors Carragher, Pugh and Robinson
Sefton Cycling Forum	2	Councillors Williams and Lloyd-Johnson
Sefton Domestic Abuse Partnership Board	2	Cabinet Member – Communities and Public Engagement (Councillor Dowd) and Assistant Director of People (Communities) – Mel Ormesher

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Sefton Hospitality Operations Limited Board	4	Councillor Spring (member); Executive Director (Place) – Stephen Watson; and Service Manager (Finance) – Paul Reilly Cabinet Member – Regeneration and Skills (Councillor Lappin) is the Shareholder Representative
Sefton New Directions Limited Board	4	Councillors Dowd and Hardman, plus 1 vacancy (Cabinet Member – Adult Social Care and Health (Councillor Moncur) is the Shareholder Representative
Sefton Partnership for Older Citizens	1	Cabinet Member – Adult Social Care and Health (Councillor Moncur)
Southport Pier Trust	3	Councillors Brough, Corcoran and Pugh
Southport Town Deal Board	2	Cabinet Member – Regeneration and Skills (Councillor Lappin) and Executive Director – Place (Stephen Watson)
Standing Advisory Committee for Religious Education (SACRE)	4	<u>Member</u> <u>Substitute</u> Cabinet Member - Children, Schools and Families (Cllr Roscoe) Cllr Hansen Cllr Richards Cllr Pugh Cllr Lloyd-Johnson Cllr Thomas Cllr McNabb The political Places available for 2024/25 are Lab 3 / Lib Dem 1 / Con 0 / Ind 0 / Green Party 0
Trans Pennine Trail Members Steering Group	2	Cabinet Member – Housing and Highways (Councillor Veidman) and Chair of Planning Committee (Councillor Hansen) or their nominee.

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Veterans in Sefton Board	1	Councillor Dowd
AD-HOC APPOINTMENTS		
Joint Health Scrutiny Committee (where 3 or less local authorities request the scrutiny of a substantial variation to a service)	3	Chair (Councillor Lunn-Bates) and Vice Chair (Councillor Myers) of the O & S Committee (Adult Social Care and Health) and one Lib Dem Member (Councillor Pugh) The political places available on the Committee for 2024/25 are Lab 2 / Lib Dem 1 / Con 0 / Ind 0 / Green Party 0
Joint Health Scrutiny Committee (where 4 or more local authorities request the scrutiny of a substantial variation to a service)	2	Chair (Councillor Lunn-Bates) and Vice Chair (Councillor Myers) of the O & S Committee (Adult Social Care and Health) The political places available on the Committee for 2023/24 are Lab 2 / Lib Dem 0 / Con 0 / Ind 0 / Green Party 0
OFFICER ONLY APPOINTMENTS (NOT LISTED ABOVE)		
Southport Business Improvement District (BID) Board	1	Service Manager – Tourism (Mark Catherall)

- (2) the Cabinet give further consideration to the appointment of a representative to fill the vacancy on the Sefton New Directions Limited Board at a future meeting of the meeting of the Cabinet; and
- (3) the proposed representation on the various Outside Bodies for the term of office as indicated as set out in Appendix 2 to the report be approved, and the following Members be appointed to serve on the Outside Bodies indicated for the term of office indicated:

<u>ORGANISATION</u>	<u>NUMBER OF REPRESENTATIVES</u>	<u>REPRESENTATIVE(S)</u>	<u>TERM OF OFFICE EXPIRES</u>

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Merseyside Strategic Flood and Coastal Erosion Risk Management Partnership	1	Cabinet Member – Public Health and Wellbeing (Councillor Doyle) (Substitute representative – Councillor Lappin)	31.5.2025 (4-year appointment)
North West Reserve Forces and Cadets Association	1	Councillor Byrom	31.5.2026 (3-year appointment)
North Western Inshore Fisheries and Conservation Authority	2	Councillor McGinnity or nominee and Countryside Officer (Gordon White)	31.5.2027 (4-year appointment)
Regenerus - South Sefton Development Trust	1	Councillor Lappin	30.5.2027 (3-year appointment)
CHARITIES			
Ashton Memorial Fund, Formby	1	Councillor Killen	31.5.2027 (4-year appointment)
Consolidated Charities of Thomas Brown and Marsh Dole (Formby)	2	Councillors Page and Webster	26.6.2026 (4-year appointment)
Halsall Educational Foundation	1	Councillor Grace	31.5.2026 (2-year appointment)
<u>NHS FOUNDATION TRUST GOVERNING BODIES</u>			
Liverpool University Hospital NHS Foundation Trust - Council of Governors	1	Councillor Hansen	31.07.2025 (3-year appointment)
Liverpool	1	Councillor Killen	30.09.2026

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Women's NHS Foundation Trust - Council of Governors			(3-year appointment)
Mersey Care NHS Foundation Trust – Council of Governors	1	Councillor Webster	30.04.2025 (3-year appointment)
The Walton Centre NHS Foundation Trust - Council of Governors	1	Councillor Lunn-Bates	01.09.26 (3-year appointment)

Reasons for the Decision(s):

The Cabinet had delegated powers set out in Chapter 5, Paragraph 40 of the Constitution to appoint the Council's representatives to serve on Outside Bodies.

Alternative Options Considered and Rejected:

None.